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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,044	11/08/1999	ROB K. CORELL	07844/350001	6076

21876   7590   06/18/2003

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EXAMINER
SINGH, RACHNA

ART UNIT	PAPER NUMBER
2176	3

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

54

	Application No.	Applicant(s)
Office Action Summary	09/436,044	CORELL ET AL.
	Examiner	Art Unit
	Rachna Singh	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 November 1999*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: application, filed 11/8/99.

2.   Claims 1-25 are pending in the case. Claims 1 and 21 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-15 and 18-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Fein et al., US Patent 6,088,711, 7/11/00 (filed 7/1/97).

In reference to claims 1 and 21, Fein teaches a method for defining a style of a

paragraph based upon the formatting properties of the paragraph. The paragraph has

text comprising a plurality of words, which comprise one or more characters. Fein

teaches that formatting properties include font size, font face, color, and other properties

such as length of words or position of word. See columns 1-3. Fein's method

comprises the following:

- ▪ Analyzing different features of the paragraph to determine the paragraph type.

  The features may include features such as length of the paragraph, capitalization

  of the paragraph, and punctuation of the paragraph. Determining the appropriate

  style to define for the paragraph to and applying a style to the paragraph. See

  columns 3-4. Compare to ***"partitioning the formatted text into one or more***

groups of words. . .having a group appearance defined by one or more text

properties".

- Determining various features of the paragraph to derive the elements that are assigned to the paragraph. Analyzing the font properties to determine characters styles and determining the length of the paragraph to determine its layout style. See columns 3-4. Compare to *"for each of the predefined elements that is assigned to at least one group or words, deriving an element style comprising a character style, a layout style or both, the character style being derived from the font properties of the characters of the words in the groups of words to which the element is assigned, and the layout style being derived from the text properties of the groups of words to which the element is assigned"*.

- Applying the style to the paragraph to be displayed in an electronic system. See column 13. Compare to *"creating an electronic document comprising a style sheet defining each of the element styles"*.

While Fein teaches a system of processing paragraphs, it would have been obvious to carry this process out throughout an entire source document since paragraphs are used to compose documents. Moreover, Fein teaches applying style sheets to a document to create a new document. See columns 1-2.

In reference to claims 2 and 22, Fein teaches analyzing the position of the paragraph on a page according to indentation and its placement in determining what element to assign to the paragraph. See column 3.

In reference to claims 3 and 23, Fein teaches analyzing the font properties of a group of words and assigning an element based on the font properties. See column 3.

In reference to claims 4 and 24, Fein teaches that assigning an element can be based on both font and position properties of the paragraph. See column 3.

In reference to claims 5-7 and 25, Fein teaches creating a specific functional style if the formatting properties of the paragraph do not match other formatting properties used in the document. Furthermore, there is a limited number of styles to define the threshold. See columns 3-4.

In reference to claims 8-9, Although Fein does not specifically state the elements as a set of HTML or XML elements, Fein's system is not limited to any particular markup language. Fein teaches that logical formatting elements allow a document to be "styled". Thus Fein's system could be implemented using HTML or XML.

In reference to claim 10, Fein teaches the use of header and paragraph elements. See column 3.

In reference to claim 11, Fein teaches applying elements to the paragraph according to various features present. These elements could be chosen from amongst address elements, list elements, table elements and so on.

In reference to claims 12-13, Fein teaches character styles comprising font properties such as font style, font face, etc. See column 3.

In reference to claim 14, Fein teaches assigning a text property to the layout style. See column 3.

In reference to claim 15, Fein teaches that the text properties can be that of indentation, alignment and position. See column 3.

In reference to claim 18, Fein teaches considering the indentation or position of a paragraph on a page. See column 3.

In reference to claim 19, Fein teaches applying various styles to the paragraph. Fein's system would not be limited to any particular style sheet including that of XSL. See columns 1-2.

In reference to claim 20, Fein's system is used to provide an electronic document with element tags and style. Thus Fein's system teaches creating an electronic document which is a markup language version of the source document. See columns 1-3.

5.   Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fein et al., US Patent 6,088,711, 7/11/00 (filed 7/1/97) in view of Povilus, US Patent 5,740,425, 4/14/98 (filed 11/26/95).

In reference to claims 16-17, it was well known at the time of the invention to derive a document from a raster image. Translating a raster image of text into HTML description was common in the art at the time of the invention as well. See Povilus, column 29. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a means for translating a raster image of a source document into HTML as taught by Povilus.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Mason et al. US Patent 5,621,875

Ferrel et al. US Patent 5,860,073

DeRose et al.   US Patent 5,983,248

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rachna Singh at 703.305.1952. The examiner can

normally be reached on Monday-Friday from 8:00AM-6:00PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon, can be reached at 703.308.5186.

        Any inquiry of a general nature or relating to the status of this application should

be directed to the Group receptionist whose telephone number is 703.305.3900.

        Any response to this action should be mailed to:

                Commissioner of Patents and Trademarks
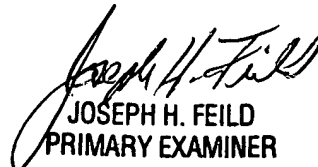   Washington, D.C. 20231

        or faxed to:

                After-Final   703.746.7238
                Official   703.746.7239
                Non-Official/Draft 703.746.7240
        Hand-Delivered responses should be brought to Crystal park II, 2121 Crystal Drive, Arlington VA., Sixth Floor (Receptionist).

Rachna Singh
June 12, 2003

                                                        JOSEPH H. FEILD
                                                        PRIMARY EXAMINER